

Jeffrey Ostrow (CSB No. 213118)
 SIMPSON THACHER & BARTLETT LLP
 2550 Hanover Street
 Palo Alto, California 94304-1115
 Telephone: (650) 251-5000
 Facsimile: (650) 251-5002
 E-mail: jostrow@stblaw.com

Henry B. Gutman (admitted *pro hac vice*)
 Kerry L. Konrad (admitted *pro hac vice*)
 SIMPSON THACHER & BARTLETT LLP
 425 Lexington Avenue
 New York, New York 10017-3954
 Telephone: (212) 455-2000
 Facsimile: (212) 455-2502
 E-mail: hgutman@stblaw.com

Attorneys for Plaintiff
 3Com Corporation

Yitai Hu (SBN 248085)
 Sean P. DeBruine (SBN 168071)
 Elizabeth H. Rader (SBN 184963)
 S.H. Michael Kim (SBN 203491)
 AKIN GUMP STRAUSS HAUSER & FELD, LLP
 Two Palo Alto Square
 3000 El Camino Real, Suite 400
 Palo Alto, California 94306-2112
 Telephone: (650) 838-2000
 Facsimile: (650) 838-2001
 E-mail: mkim@akingump.com

Attorneys for Defendant
 Realtek Semiconductor Corporation

**UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION**

3COM CORPORATION,

Plaintiff,

v.

REALTEK SEMICONDUCTOR
 CORPORATION,

Defendant.

Case No. Cv-03-02177-VRW

**STIPULATION AND ~~[PROPOSED]~~
 ORDER STAYING ACTION IN LIGHT
 OF PENDING SETTLEMENT**

WHEREAS, the parties in the above-captioned action have reached an agreement
 to resolve the dispute that is the subject matter of the above-referenced action;

WHEREAS, one term of the parties' agreement is that the action not be dismissed

until after September 1, 2008, assuming compliance with the other terms of the agreement;

WHEREAS, the parties have filed various post-trial motions currently pending before the Court;

WHEREAS, Plaintiff 3Com Corporation ("3Com") has served various discovery requests on Realtek, which are pending; and

WHEREAS, the parties wish to avoid unnecessary expenditure of the Court's time in resolving the pending motions and of the parties' time in complying with the pending discovery requests;

NOW, THEREFORE, THE PARTIES STIPULATE AND AGREE and respectfully request the Court to Order that all post-trial proceedings in this matter be stayed until September 2, 2008, including:

1. The Court's decision on all post-trial motions currently pending before it;
2. Realtek's obligation to respond to all pending discovery requests; and
3. Either party shall have the right to request that the Court lift this stay prior to September 2, 2008 if the other party fails to comply with the terms of the agreement.

AGREED TO AND ACCEPTED:

Dated: July 17, 2008

SIMPSON THACHER & BARTLETT LLP

By: /s/ Henry B. Gutman
Henry B. Gutman

Attorneys for Plaintiff
3COM CORPORATION

Dated: July 17, 2008

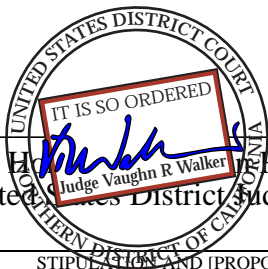
AKIN GUMP STRAUSS HAUSER
& FELD, LLP

By: /s/ Sean P. DeBruine
Sean P. DeBruine

Attorneys for Defendant
REALTEK SEMICONDUCTOR CORP.

SO ORDERED:

Dated: July 22, 2008

The Honorable Judge Vaughn R. Walker
United States District Judge

1 Pursuant to General Order No. 45, Section X(B) regarding signatures, I attest under
2 penalty of perjury that concurrence in the filing of this document has been obtained from Sean P.
3 DeBruine.

4 Dated: July 17, 2008

SIMPSON THACHER & BARTLETT LLP

5
6 By: /s/ Henry B. Gutman
Henry B. Gutman (admitted *pro hac vice*)
7 Attorneys for Plaintiff
8 3COM CORPORATION
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28